

SUBCHAPTERS B–C [RESERVED]
SUBCHAPTER D—FOOD SAFETY AND INSPECTION SERVICE
ADMINISTRATIVE PROVISIONS

**PART 390—FREEDOM OF
INFORMATION**

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AUTHORITY: 5 U.S.C. 301, 552; 7 CFR 1.3, 2.7.

SOURCE: 45 FR 54309, July 15, 1980, unless otherwise noted. Redesignated at 46 FR 63203, Dec. 31, 1981.

§ 390.1 Scope and purpose.

These regulations are issued pursuant to the Freedom of Information Act (FOIA), as amended (5 U.S.C. 552), and in accordance with the directives of the Department of Agriculture regulations in part 1, subpart A, of title 7. The availability of records of the Food Safety and Inspection Service (FSIS), and the procedures by which the public may request such information, shall be governed by the FOIA and by these Department regulations as implemented and supplemented by the regulations in this part.

[45 FR 54309, July 15, 1980. Redesignated at 46 FR 63203, Dec. 31, 1981, and amended at 50 FR 33332, Aug. 19, 1985; 53 FR 24679, June 30, 1988]

§ 390.2 Published materials.

Rules and regulations of FSIS relating to its regulatory responsibilities are continuously published and made available to the public in the FEDERAL REGISTER, and codified in chapter III, title 9 of the Code of Federal Regulations. FSIS also issues numerous publications relating to agency programs which implement the laws listed in the Delegations of Authority, 7 CFR 2.15(a) of this title. Most of these publications are available free from the USDA Publications Division, Office of Governmental and Public Affairs, or at established rates from the Superintendent of

Documents, U.S. Government Printing Office, Washington, DC 20402.

[45 FR 54309, July 15, 1980. Redesignated and amended at 46 FR 63203, Dec. 31, 1981]

§ 390.3 Index.

Pursuant to the regulations in 7 CFR 1.4(b), FSIS will maintain and make available for public inspection and copying an index providing information regarding the materials required to be published or made available under the Freedom of Information Act (5 U.S.C. 552(a)(2)). Quarterly publication of these indexes is unnecessary and impracticable, since the material is voluminous and does not change often enough to justify the expense of quarterly publication. The Agency shall provide copies of any index, upon request, at a cost not to exceed direct cost of duplication.

§ 390.4 Facilities for inspection and copying.

Facilities for public inspection and copying of the material described in §§ 390.2 and 390.3 of this part will be provided by FSIS pursuant to 7 CFR 1.5(a) in a reading area, on business days between the hours of 8:00 a.m. and 4:00 p.m., upon request to the Freedom of Information Coordinator or designee at the following address:

Freedom of Information Act Coordinator
(FOIA), Food Safety and Inspection
Service, U.S. Department of
Agriculture, Washington, DC 20250.

Copies of such material may be obtained in person or by mail.

[45 FR 54309, July 15, 1980. Redesignated at 46 FR 63203, Dec. 31, 1981, and amended at 53 FR 24679, June 30, 1988]

§ 390.5 Requests for records.

(a) The FOIA Coordinator of FSIS is authorized to receive requests and to exercise the authority under 7 CFR 1.3(a) to: (1) make determinations to grant or deny such requests, (2) extend